

**Board Meeting Date:** August 6, 2019  
**Special Notice / Hearing:** None  
**Vote Required:** Majority

**To:** Honorable Board of Supervisors

**From:** Steve Monowitz, Community Development Director

**Subject:** EXECUTIVE SUMMARY:  
Adoption of an ordinance approving a Second Amendment of the Development Agreement regarding construction of the Big Wave North Parcel Alternative Project (Big Wave NPA Project).

County File Number: PLN 2013-00451 (Big Wave Group, LLC)

### **RECOMMENDATION**

Recommend that the Board of Supervisors:

Adopt an Ordinance approving a Second Amendment of the Development Agreement between the County of San Mateo and Big Wave LLC that authorizes changes to the Big Wave North Parcel Alternative Project (Big Wave NPA Project), including requirements related to the Wellness Center building site plan and construction schedule, bike trail construction, on-site pedestrian trail and crossing, wetland restoration, Leadership in Energy and Environmental Design (LEED) rating of buildings, and waiving the reading of the ordinance in its entirety.

### **BACKGROUND**

The Development Agreement (Development Agreement) between the County of San Mateo and the owners of the subject parcels, Big Wave LCC (north parcel) and Big Wave Group (south parcel), referred to collectively as "Big Wave," was executed when the Board of Supervisors approved the Big Wave North Parcel Alternative Project (Big Wave NPA Project).<sup>1</sup> At its meeting on June 6, 2017, the Board of Supervisors approved the first amendment of the Development Agreement, which made modifications to the project to allow: the property owner to construct on Lot 4 of the Office Park prior to construction of the Wellness Center; additional flexibility in the construction type of the Wellness Center buildings provided Coastside Fire Protection District requirements are met; and allow the property owner to obtain building permits for a limited amount of Office Park building construction prior to obtaining Caltrans approval to install a signal or roundabout.

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<sup>1</sup> A former version of the project, involving more development on the southern parcel owned by Big Wave than the NPA, was previously approved by the Board of Supervisors but denied by the Coastal Commission on appeal.

## **DISCUSSION**

Big Wave now seeks further revisions to the project conditions of approval and another amendment to the Development Agreement. A description of the proposed changes, along with staff's analysis, are provided below:

### **1. Changes to Wellness Center Site Plan**

In May 2015, the Board of Supervisors approved a three-building site plan for the Wellness Center, with a total square footage of 91,000 sq. ft., including 70,500 sq. ft. of affordable housing and 20,500 sq. ft. of business uses. The Wellness Center consists of up to 57 bedrooms for a maximum of 50 developmentally disabled adults, as well as their aides/attendants. The approved site plan for the Wellness Center included Building 3 (49,200 sq. ft.) at the rear of Lot 7 and two smaller buildings (41,800 sq. ft. combined total) at the front of the parcel.

Condition of Approval No. 5.o.(1) requires the applicant to increase the building setback from the shared property line with the Pillar Ridge Manufactured Home Community (PRMHC) from 30 feet to 65 feet, requiring the placement of Wellness Center buildings to shift significantly to the south. This requirement spurred a re-design of the Wellness Center which resulted in an increase in the setback from PRMHC from 65 feet to 71 feet-2 inches, a consolidation of the buildings into two buildings, an increase in the number of bedrooms constructed in the first phase from 25 to 33 bedrooms, and the incorporation of a new fire lane.

Staff recommends approval of the revised plans, as the overall size of the Wellness Center will be reduced by 18,370 sq. ft. or 20% smaller. The revised plan will not result in increased impacts to the Pillar Ridge Manufactured Home Community, views along Airport Street, or a reduction in the approved amount of affordable housing units at the Wellness Center. The proposed design reduces the cost of construction and allows for a greater number of bedrooms to be built in the first phase of Wellness Center construction, consistent with the County's desire to facilitate the provision of such services.

### **2. Changes to Bike Trail Construction Requirements**

Currently, Condition of Approval No. 73 requires Big Wave to install a Class I or Class II bike trail adjacent to Airport Street by May 2018 and prior to occupancy of any project buildings. Instead, Big Wave proposes to fund construction costs of the portion of the trail that would extend across the length of the north and south parcels (estimated at approximately \$350,000), once the County has completed the design and secured all necessary approvals.

Staff recommends approval of this requested change in order to avoid delays to the project while the County explores the feasibility of a trail on the east side of Airport Street, and because the requirement to provide a bike trail was established

in response to the applicant's voluntary offer to provide it, and not to mitigate any adverse impacts caused by the project.

3. Clarify Requirements Related to the On-Site Pedestrian Trail and Crossing over the Drainage Separating the Project Parcels

Condition of Approval No. 64 currently requires the property owner to provide safe pedestrian access over the existing bridge which spans the drainage separating the project parcels through the construction of a temporary road adjustment and a safety barrier. The condition also requires the property owner to pursue permits for widening the bridge to provide permanent safe access. Following the adoption of this condition, it has been determined that there is inadequate room within the paved right-of-way to accommodate a safe route for pedestrians without widening the existing crossing of the drainage. Furthermore, the applicant has provided a feasible plan for constructing a pedestrian crossing of this drainage that eliminates the need for a temporary safety barrier.

As a result, staff is recommending modifications to the conditions of approval that delete references to a temporary K-rail safety barrier. The proposed change also requires Big Wave to construct the crossing at the time of the construction of the pedestrian trail, which is required prior to occupancy of any project buildings, and clarifies that the County will be responsible for obtaining any state or federal approvals that may be required to construct the pedestrian crossing.

4. Time Extensions for Completion of Wetland Restoration and the First 25 Bedrooms of the Wellness Center

Currently, Condition of Approval No. 73 requires Big Wave to: (1) initiate implementation of the approved wetland restoration plan by establishing the nursery and seed stock of the plants, prior to the issuance of any building permits; and (2) complete the planting and irrigation and initiate the 10-year monitoring program contained in the approved restoration plan by May 2018.

In January and February 2018, Big Wave performed wetland planting under the supervision of a biologist. However, all required restoration activities have not been completed. Big Wave requests an extension of 18 months from this hearing date to complete the required restoration activities, including consultation with the County Parks Department and with State and Federal permitting agencies. Staff recommends that the Board approve the requested 18-month time extension to complete the required wetland restoration tasks.

Big Wave also requests to change the required due date (May 2020) for the construction of the first 25 bedrooms of the Wellness Center, coastal parking construction, installation of landscaping along Airport Street, and implementation of shuttle services to serve Wellness Center residents, due to delays in project implementation. As Big Wave has demonstrated steady progress on the

Wellness Center building permit applications, which include construction of the components listed above, staff supports the proposed timeframe of 3 years from the issuance of the Phase 1 Wellness Center building permit. Condition of Approval No. 73 has been modified to reflect this change.

5. Allow Big Wave to Construct to CALGreen Standards Instead of LEED Standards

Big Wave requests to modify Condition of Approval No. 5.c to replace the requirement that all buildings receive a LEED rating with required compliance with building code requirements, including CALGreen. Big Wave requests this change as a cost saving measure, and staff supports the change because CALGreen requirements under the current Building Code ensure that the project will be constructed in a reasonable sustainable and energy efficient manner.

**FISCAL IMPACT**

None.